

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEjc985 U.S. PTO
04/30/01

Serial No. A-69199-1/DJB/JJD/AMS

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DATE OF DEPOSIT April 30, 2001I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.TYPED NAME Mark RanciferSIGNED Mark RanciferAnticipated Classification of
this Application:

Class: Subclass:

Prior Application:

Examiner:

Art Unit:

Box PATENT APPLICATION FEEAssistant Commissioner for Patents
Washington, DC 20231

Sir:

jc903 U.S. PTO
09/847046
04/30/01

This is a request for filing an

☐ Original☐ Continuation☐ Divisional☒ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of Peter Hevezi, David Mack, Kurt C. Gish, Keith E. Wilson, for NOVEL METHODS OF DIAGNOSIS OF PROSTATE CANCER AND/OR BREAST CANCER, COMPOSITIONS, AND METHODS OF SCREENING FOR PROSTATE CANCER AND/OR BREAST CANCER MODULATORS of Invention). This ☐ continuation ☐ divisional ☒ continuation-in-part claims priority to pending application Serial No. 09/733,288, filed on December 8, 2000, which is a continuing application of Application No. 09/687,576, filed October 13, 2000.

1. (a) ☐ Enclosed is a new application.
- (b) ☒ Enclosed is a continuation-in-part application.
- (c) ☐ Enclosed is a copy of the prior application.

2. (a) ☐ Enclosed is a new Declaration.
 (b) ☐ Enclosed is a copy of the prior executed Declaration as originally filed.
 (c) ☐ Enclosed is a Combined Declaration/Power of Attorney.

3. ☒ Applicant claims small entity status. See 37 CFR 1.27.

4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
FOR:			RATE	FEE		RATE	FEE
BASIC FEE				\$355	OR		\$710
TOTAL CLAIMS	-20 = *		x 9 =	\$	OR	x 18 =	\$
INDEP CLAIMS	-3 = *		x 40 =	\$	OR	x 80 =	\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$	OR	+270 =	\$
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			TOTAL	\$	OR	TOTAL	\$

5. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-69199-1/DJB/JJD/AMS).

6. ☒ The filing fee is **not** enclosed.

7. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☐ Amend the specification by inserting before the first line the sentence:

9. (a) X Informal drawings are enclosed, 3 sheets.
(b) Formal drawings are enclosed, sheets.
10. (a) Priority of application Serial No. filed on
 in is claimed under 35
U.S.C. 119.
- (b) The certified copy has been filed in prior application
Serial No. filed on .
11. An Assignment is enclosed.
12. X The prior application is assigned of record to EOS
 BIOTECHNOLOGY, INC..
13. A Power of Attorney by Assignee is enclosed.
14. X The power of attorney in the prior application is to:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT, LLP
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
- (a) X The power appears in the original papers in the prior
application.
- (b) Since the power does not appear in the original papers, a copy
of the power in the prior application is enclosed.
- (c) X Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989

15. _____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
16. _____ A Prior Art Statement is enclosed.
17. _____ I hereby verify that the attached papers are a true duplicate of prior application Serial No. _____, filed on _____.

Date: 4/30/01

David J. Brezner

David J. Brezner

(Reg. No. 24,774)

FILEHR HOHBACH TEST

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